

## **REMARKS**

Applicants have amended claims 19, 22, 23 and 24. Claims 19-25 are pending. Reconsideration of this application, as amended, is requested.

### **Section 112 Rejections**

Claims 19-25 were rejected under 35 U.S.C. 112, first paragraph, as supposedly based on a disclosure which is not enabling. The Office Action argues that the binder, grinding aid, and the abrasive particles are critical or essential to the practice of the invention.

Although Applicants do not agree that the grinding aid is a critical element of the abrasive feature, Applicants have amended independent claim 19 to recite that the abrasive feature includes abrasive particles, grinding aid and binder, and have amended independent claim 22 to recite that the slurry includes abrasive particles, grinding aid and binder precursor, in order to remove this rejection and move the claims to allowance.

Claims 23-25 were rejected under 35 U.S.C. 112, second paragraph. Claim 23 has been rewritten as an independent claim directed to a method of making an abrasive article, as suggested by the Examiner. Claim 24 has been amended to be consistent.

### **Provisional Double Patenting**

Claims 19-25 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 8, 22, 23 and 24 of co-pending Application No. 10/668,753.

Applicants do not agree with this obviousness-type double patenting, because the claims of 10/668,753 are directed to a structured abrasive article that includes a plurality of abrasive composites each having a plurality of ceramic aluminum oxide abrasive particles having an average particle size of about 300-400 micrometers, the composites having a height of 635-1016 micrometers, and faces that are defined at least partially by a parabolic function.

However, to facilitate allowance of this application, Applicants will submit a Terminal Disclaimer as soon as the claims in this application are otherwise indicated as allowable.

*Serial No. 10/668,736*

*Amendment Under 37 C.F.R. 1.116 dated Feb. 16, 2007*

*Reply to final Office Action of Dec. 28, 2006*

**Summary**

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned representative.

Respectfully submitted,

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